

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

| | | |
|--------------------------------|---|----------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | No. 07 C 4112 |
| v. |) | |
| |) | Judge James B. Moran |
| |) | |
| FUNDS IN THE AMOUNT OF THIRTY- |) | |
| ONE THOUSAND SEVEN HUNDRED |) | |
| FORTY DOLLARS (\$31,740) |) | |
| |) | |
| Defendant. |) | |

MOTION OF THE UNITED STATES
FOR ENTRY OF STIPULATED DECREE OF FORFEITURE

The United States of America by its attorney PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, moves for entry of a stipulated decree of forfeiture and in support states as follows:

1. On July 23, 2007, the United States filed a verified complaint seeking forfeiture of the defendant property pursuant to 21 U.S.C. § 881(a)(6).
2. On the same date, the court issued a warrant of seizure and monition to be executed by the United States Marshal Service against the defendant property.
3. On August 6, 2007, the defendant property was seized, the warrant was executed and the verified complaint was personally served by the United States Marshal Service.
4. The United States also gave notice of this action to all known potential claimants by certified mail.
5. Pursuant to Rule C of the Supplemental Rules Governing Certain Admiralty and Maritime Claims, the United States Marshal Service published notice directing that any claim be

filed within within 30 days of said date and any answer be filed within 20 days of the filing of the claim.

6. Richard Roque has filed a verified claim and answer.

7. The United States has entered into a stipulated settlement agreement with claimant Richard Roque through his attorney Timothy Nilan. A copy of this agreement is attached as Exhibit A.

8. To date, no other claim or answer has been filed and the time for filing such a claim, answer or other responsive pleading has since expired under applicable law.

WHEREFORE, the United States requests that this court enter a stipulated decree of forfeiture in favor of the United States pursuant to the stipulation for settlement. A draft order is submitted herewith.

Respectfully submitted,

PATRICK J. FITZGERALD
United States Attorney

By: s/Daniel E. May
DANIEL E. MAY
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 353-8694